

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Criminal No.
04-10361-NG

UNITED STATES OF AMERICA

v.

JOHN HANDY

FINAL STATUS REPORT

September 19, 2005

DEIN, M.J.

A Final Status Conference was held before this court on Monday, September 19, 2005, pursuant to the provisions of Local Rule 116.5(C). Based on that conference this court enters the following report, in accordance with Local Rule 116.5(D):

1. It appears at this time that a trial will be necessary.
2. Discovery is substantially completed at this time, except for expert discovery. The parties have agreed to a schedule for the production of such discovery prior to trial.
3. There are no outstanding or anticipated discovery issues at this time.
4. The defendant intends to file a motion to dismiss and a motion to suppress. All motions shall be filed by October 28, 2005. The government shall respond to said motions by December 2, 2005.
5. Based upon the prior orders of the court dated July 12, 2005, August 23, 2005, and the order entered on this date, as of October 28, 2005 there will be zero (0) days of non-excludable time under the Speedy Trial Act and seventy (70) days will remain under the Speedy Trial Act in which this case must be tried. The court has, on this date, entered a Further Order on Excludable Time excluding the period through October 28, 2005, to enable the defendant time to prepare his motions. The pendency of an motion shall result in further time being excluded under the Speedy Trial Act.

6. It is estimated that if the case goes to trial, the trial will last approximately 5 -7 days.
7. The file is hereby ordered returned to the District Judge to whom this case is assigned for further proceedings.

/ s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge